

NOT FOR CITATION

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JEROME P. DIXON,)	C 10-01304 JF (PR)
Petitioner,)	ORDER OF TRANSFER
vs.)	
JOHN MARSHALL, Warden,)	
Respondent.)	

Petitioner, a state prisoner proceeding pro se, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 challenging the June 2008 Board of Prison Terms' decision finding him unsuitable for parole. The parole hearing occurred at the California Men's Colony - East in San Luis Obispo, California, where Petitioner is currently incarcerated. The prison is located within the venue of the Western Division of the Central District of California. 28 U.S.C. § 84(c)(2).

Venue in a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, the district of confinement is the preferable forum to review the execution of a sentence, such as a parole denial claim. See Habeas L.R. 2254-3(a); Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989).

1 Accordingly, this case is TRANSFERRED to the United States District Court for the
2 Central District of California, the location of Petitioner's confinement. See 28 U.S.C. §
3 1404(a); Habeas L.R. 2254-3(b)(1).

4 The Clerk shall terminate any pending motions and transfer the entire file to the
5 Western Division of the Central District of California.

6 IT IS SO ORDERED.
7 DATED: 7/19/10



JEREMY FOGEL
United States District Judge

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JEROME P DIXON,

Case Number: CV10-01304 JF

Petitioner,

CERTIFICATE OF SERVICE

v.

JOHN MARSHALL, Warden,

Respondent.

/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 7/26/10, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Jerome P. Dixon H64249
California Men's Colony-East
P.O. Box 8101
San Luis Obispo, CA 93409

Dated: 7/26/10

Richard W. Wieking, Clerk